

**FILED**  
**DISTRICT COURT OF GUAM**

AUG 30 2007

**JEANNE G. QUINATA**  
**Clerk of Court**

DISTRICT COURT OF GUAM

TERRITORY OF GUAM

1 JULIE BABAUTA SANTOS, *et al.*,

5 Civil Case No. 04-00006

6 Petitioners,

7 v.

8 FELIX P. CAMACHO, *et al.*,

9 Respondents.

10 CHARMAINE R. TORRES, *et al.*,

11 Civil Case No. 04-00038

12 Plaintiffs,

13 v.

14 GOVERNMENT OF GUAM, *et al.*,

15 Defendants.

16 MARY GRACE SIMPAO, *et al.*,

17 Civil Case No. 04-00049

18 Plaintiffs,

19 v.

20 GOVERNMENT OF GUAM,

21 Defendant,

22 v.

23 FELIX P. CAMACHO, Governor of Guam

24 Intervenor-Defendant.

**MOTION TO ORDER  
COMPLIANCE WITH COURT'S  
ORDER OF 25 JUNE 2007**

25 **ORIGINAL**

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## MOTION

**COMES NOW** Objector Mary Grace Simpao and Janice Cruz and prays this Court issue an Order commanding the Defendants to comply with its order issued 25 June 2007. Alternatively, Objectors ask this Court to order a schedule of publication to be filed. In that Order this Court stated that following the continuance of the fairness hearing to September 20, 2007,

“Defendants shall cause to be published notice of such continuance in the Pacific Daily News, a newspaper of general circulation. Said notice shall be published twice – on one weekday and on a Sunday – of two separate calendar weeks. This published notice shall be designed to catch the attention of the class members to whom it applies. Furthermore, said notice shall also be prominently posted on the internet site for the Government of Guam, Governor of Guam, and Department of Taxation.”

*Order, J. Tydingco-Gatewood, 25 June 2007.*

## FACTS RELEVANT TO THE MOTION

1. This Court issued a lawful order on 25 June 2007 to affect notice to the class of a continued fairness hearing.
2. As of the date of this motion, no such notice has been posted nor otherwise published. *See Declaration Thomas J. Fisher.*
3. There are three calendar weeks obtaining between the filing of this motion and the fairness hearing.

## MEMORANDUM OF POINTS AND AUTHORITY

This Court has issued a lawful order to Defendants. A court has the authority to enforce its own orders. *Pennsylvania v. Delaware Valley Citizens' Council for Clean Air*, 478 U.S. 546, 106 S.Ct. 3088, fn. 6 (1986). Notice in this instance is designed to protect a fundamental Constitutional right. See *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 70 S.Ct. 652 (1950). Defendant must comply with the Order and do so immediately.

**WHEREFORE** Objectors Pray this Court order Defendant to comply with its Order.

By:   
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